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May 2, 2008

VIA E-FILING

The Honorable Joseph J. Farnan, Jr.
United States District Court
District of Delaware
844 North King Street
Wilmington, DE 19801

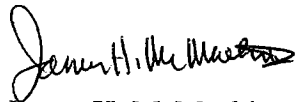
RE: *Smith, et al., v. State of Delaware, et al.*
Case No. 07-600-JJF

Dear Judge Farnan:

The Court has scheduled a conference on May 20, 2008 at noon to address matters raised in Mr. Durstein's April 11, 2008 letter. I write to inform Your Honor that on May 20, 2008 I will be out of the country on my honeymoon. I respectfully request that the Court reschedule the May 20, 2008 hearing. I have conferred with counsel for the Defendants in this case and they do not object to my request. Moreover, I have attempted to secure dates that work for all counsel in order to propose an alternative date. Unfortunately, due to vacation schedules and trials, the only date that counsel is available between now and July, 2008 to reschedule this conference is June 20, 2008. If June 20, 2008 is a date available on the Court's schedule, then I respectfully suggest that the conference be rescheduled for such date. If the Court is unavailable on June 20, 2008, I suggest that the parties meet and confer and propose alternate dates in July, 2008 for the Court's consideration.

Thank you for your time and consideration of this matter.

Respectfully,



James H. McMackin, III
(Bar I.D. #4284)

JHM/jam

cc: Ralph K. Durstein, III, Esquire (via e-filing)
James J. Maxwell, Esquire (via e-filing)
Donald Robert Kinsley, Esquire (via e-filing)
Jeffrey S. Marlin, Esquire (via e-filing)
Richard Galperin, Esquire (via hand delivery)
Clerk of the Court (via e-filing)

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